

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION**

**MDL 2724
16-MD-2724**

HON. CYNTHIA M. RUFÉ

THIS DOCUMENT RELATES TO:

ALL ACTIONS

**PRETRIAL ORDER NO. 33
(SECOND ELECTRONIC CASE MANAGEMENT PROTOCOL ORDER)**

AND NOW, this 29th day of August 2017, the Judicial Panel on Multidistrict Litigation having transferring cases brought by State Attorneys General to this MDL¹, it is hereby **ORDERED** that the following revised electronic case management system is now in effect.

STRUCTURE OF THE DOCKETS

1. The “Master Docket,” 16-MD-2724, includes all generic pharmaceuticals pricing antitrust cases filed in or transferred to this Court as part of MDL 2724.
2. Each pharmaceutical included in the MDL has a “Lead Case” associated with it.
3. The Lead Cases include “Class Cases” for each putative class or group of Plaintiffs. Class Cases have been established for each pharmaceutical for the Direct Purchaser Plaintiffs, End-Payer Plaintiffs, Indirect Reseller Plaintiffs, and State Attorneys General Plaintiffs. If there is no pending Class Case for a Plaintiff class or group for a particular pharmaceutical, the Class Case will serve as a placeholder for a possible later filing.
4. Each Class Case includes the applicable originally-filed “Individual Cases,” which will retain their individual case numbers at this time.

¹ *Connecticut v. Aurobindo Pharma USA, Inc.*, Civil Action No. 17- 3768 (E.D. Pa.); *Arkansas v. Aurobindo Pharma USA, Inc.*, Civil Action No. 17- 3769 (E.D. Pa.).

5. The Clerk of Court has established the following Lead Cases and Class Cases for docketing purposes:

Pharmaceutical	Lead Case	Direct Purchaser	End-Payer	Indirect Reseller	State Attorneys General
Albuterol	16-AL-27240	16-AL-27241	16-AL-27242	16-AL-27243	16-AL-27244
Amitriptyline	16-AM-27240	16-AM-27241	16-AM-27242	16-AM-27243	16-AM-27244
Baclofen	16-BC-27240	16-BC-27241	16-BC-27242	16-BC-27243	16-BC-27244
Benazepril HCTZ	16-BZ-27240	16-BZ-27241	16-BZ-27242	16-BZ-27243	16-BZ-27244
Clobetasol	16-CB-27240	16-CB-27241	16-CB-27242	16-CB-27243	16-CB-27244
Clomipramine	16-CM-27240	16-CM-27241	16-CM-27242	16-CM-27243	16-CM-27244
Desonide	16-DS-27240	16-DS-27241	16-DS-27242	16-DS-27243	16-DS-27244
Digoxin	16-DG-27240	16-DG-27241	16-DG-27242	16-DG-27243	16-DG-27244
Divalproex ER	16-DV-27240	16-DV-27241	16-DV-27242	16-DV-27243	16-DV-27244
Doxycycline	16-DX-27240	16-DX-27241	16-DX-27242	16-DX-27243	16-DX-27244
Econazole	16-EC-27240	16-EC-27241	16-EC-27242	16-EC-27243	16-EC-27244
Fluocinonide	16-FL-27240	16-FL-27241	16-FL-27242	16-FL-27243	16-FL-27244
Glyburide	16-GL-27240	16-GL-27241	16-GL-27242	16-GL-27243	16-GL-27244
Levothyroxine	16-LV-27240	16-LV-27241	16-LV-27242	16-LV-27243	16-LV-27244
Lidocaine/ Prilocaine	16-LD-27240	16-LD-27241	16-LD-27242	16-LD-27243	16-LD-27244
Pravastatin	16-PV-27240	16-PV-27241	16-PV-27242	16-PV-27243	16-PV-27244
Propranolol	16-PP-27240	16-PP-27241	16-PP-27242	16-PP-27243	16-PP-27244
Ursodiol	16-UR-27240	16-UR-27241	16-UR-27242	16-UR-27243	16-UR-27244

6. The docketing structure allows for the possibility of the filing or transfer of cases naming additional pharmaceuticals or Plaintiff groups.

FILING OF DOCUMENTS

7. Unless otherwise ordered by the Court, only documents that relate to all actions may be filed on the Master Docket, and shall be captioned as follows:

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8. Documents applicable to all actions relating to a particular pharmaceutical shall be filed only in the appropriate Lead Case, and shall be captioned as follows:

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IN RE: [PHARMACEUTICAL NAME] CASES

16-[XX]-27240

THIS DOCUMENT RELATES TO:

ALL [PHARMACEUTICAL NAME] ACTIONS

9. Documents applicable only to a certain Plaintiff Class or Group shall be filed in the appropriate Class Case and shall be captioned as follows:

**IN THE UNITED STATES DISTRICT COURT
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**IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION**

**MDL 2724
16-MD-2724
HON. CYNTHIA M. RUFÉ**

IN RE: [PHARMACEUTICAL NAME] CASES

THIS DOCUMENT RELATES TO:

ALL [PLAINTIFF CLASS OR GROUP] ACTIONS

16-[XX]-2724[X]

10. Documents applicable only to an Individual Case shall be filed in **both** the Individual Case **and** the applicable Lead Case, and shall be captioned as follows:

**IN THE UNITED STATES DISTRICT COURT
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**IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION**

**MDL 2724
16-MD-2724
HON. CYNTHIA M. RUFÉ**

IN RE: [PHARMACEUTICAL NAME] CASES

16-[XX]-27240

THIS DOCUMENT RELATES TO:

Civil Action No.

[Name of First Plaintiff] v. [Name of First Defendant]

[XX]-cv-[XXXX]

11. It appears at this time that the State Attorneys General have asserted claims only with regard to Doxycycline and Glyburide. No later than **September 6, 2017**, counsel for the

State Attorneys General shall file a notice in 16-DX-27240 and 16-DX-27244 listing all Defendants against whom they have alleged claims concerning Doxycycline and shall file a notice in 16-GL-27240 and 16-GL-27244 listing all Defendants against whom they have alleged claims concerning Glyburide.

12. To the extent not previously done, no later than **September 11, 2017**, all counsel shall enter appearances on the Master Docket and in each Lead Case and Class Case in which they represent client[s]. All counsel associated with the same law firm and representing the same client[s] shall file a joint entry of appearance. For each attorney to receive notices through ECF, the entry of appearance must be docketed in each Case using the ECF log-in for each listed attorney (for example, if three attorneys are listed on the entry of appearance, the document must be docketed three times, using each attorney's individual log-in) and linked to the specific filer the attorney represents (or to Plaintiff or Defendant, if the specific filer is not an option within a particular Case). Counsel who already receive Notices of Electronic Filings ("NEF") as to the Master Docket do not need to file an entry of appearance. Counsel who do not receive NEF for any case are directed to Pretrial Order No. 16, with regard to registration as an ECF user.

13. New actions filed into the MDL shall list on the Civil Cover Sheet as related cases the Master Docket, Lead Case, and Class Case.

It is so **ORDERED**.

BY THE COURT:

/s/Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.